

## **Joint Multi-council Subcommittee Evaluating Fish and Wildlife Violations/Fines**

Minutes of December 3, 2019 Meeting, held in the Fish & Wildlife Conference Room, 89 Kings Highway, Dover, DE 19901

### **Subcommittee Members and Division of Fish & Wildlife Staff:**

Wes Townsend, Advisory Council on Tidal Finfisheries, Chair

Brian Hoffecker, Advisory Council on Tidal Finfisheries

Marvin Kahl, Advisory Council on Tidal Finfisheries

Lou Papp, Advisory Council on Tidal Finfisheries – Volunteer assigned by Chair to assist committee

Chief Drew Aydelotte, Delaware Division of Fish & Wildlife, Enforcement Section

John Clark, Delaware Division of Fish & Wildlife, Fisheries Section

### **The meeting was called to order at 5:03 PM by Chair Townsend**

**The Subcommittee** reviewed the October meeting minutes and the agenda.

**Review Draft Tiered Matrix for Recreational Shellfish Violations:** The Subcommittee briefly reviewed the benefits of a tiered violation system. Lou Papp distributed the tiered matrices he developed for recreational shellfish violations; one for the number of undersized clams in possession and one for the number of undersized blue crabs in possession. The Subcommittee discussed whether there should be discretion for one or two undersized clams or crabs or if fines should start with the first undersized and decided to recommend fines for possession of the first undersized clams or crabs. The Subcommittee also discussed whether to base the violation on the number of undersized or the percentage of the total in possession that were undersized and decided that number of undersized would be easier and more effective. Chief Aydelotte explained that the fines are limited to the four violation classes defined in 7 Delaware Code § 1304. The Subcommittee also wanted to see higher fines levied for second offenses.

**Discuss Adding other Violations to the Tiered Matrix:** The Subcommittee decided that they would further refine the violations matrix by putting the number of undersized clams and crabs into a single table and basing the tiers on the violation class.

**Agenda Items for Next Meeting:** The Subcommittee will discuss the revised tiered violation matrix for recreational shellfish violations and consider how to add other violations to the matrix.

The next meeting is scheduled to be held on January 28, 2020 at 5 PM in a conference room in DNREC Headquarters.

**The meeting adjourned at 6:05 PM.**